

OCTOBER 7, 2008

BOISE, IDAHO
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Council met in regular session Tuesday, October 7, 2008, Mayor DAVID H. BIETER, presiding.

Roll call showed the following members present:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Invocation was given by Alex Charlton, Clerk.

Moved by EBERLE and seconded by JORDAN that the minutes from the September 30, 2008, Boise City Council Work Session Meeting be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Moved by EBERLE and seconded by JORDAN that the minutes from the September 30, 2008, Boise City Council Meeting be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Mayor BIETER announced that it was the time and place set for the reappointment of Joan Cloonan to the Public Works Commission for a four year term expiring September 1, 2012.

Moved by EBERLE and seconded by JORDAN that the reappointment of Joan Cloonan to the Public Works Commission for a four year term expiring September 1, 2012 be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

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Moved by EBERLE and seconded by JORDAN that the Boise City Checks No. 286803 thru 287305 in the total amount of \$1,809,287.81 as of October 1, 2008 be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Authorization to Procure IFB 09-011; Laboratory Equipment and Supplies off Idaho State Contract #SBPO 1118-04, Public Works Department, were before Mayor and Council as enumerated in staff report dated September 24, 2008.

RECOMMENDATION: The Department of Finance and Administration Division concurs with Public Works Department in recommending IFB 09-011; Laboratory Equipment and Supplies be purchased off Idaho State Contract #SBPO 1118-04, from Fischer Scientific, in a total annual amount not to exceed \$73,000.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the purchase of Laboratory Equipment and Supplies off of Idaho State Contract #SBPO 1118-04 from Fischer Scientific, in a total annual amount not to exceed \$73,000.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Authorization to Procure IFB 09-009; Computer Equipment off Idaho State Contract #PADD 1014-02, Information and Technology Department, were before Mayor and Council as enumerated in staff report dated September 25, 2008.

RECOMMENDATION: The Department of Finance and Administration Division concurs with Information and Technology Department in recommending that IFB 09-009; Computer Equipment be purchased off of Idaho State Contract #PADD 1014-02 HP products through HP direct or through an authorized resale dealer, in a total amount not to exceed the Computer Equipment budget for FY09.

Moved by EBERLE and seconded by JORDAN that the recommendations be followed and the purchased of HP products off of Idaho State Contract #PADD 1014-02 through HP direct

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or through an authorized resale dealer, in a total amount not to exceed the Computer Equipment budget for FY09.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested the following claim(s) be acknowledged and referred to the office of the Treasurer:

- a) Pete Treanor, Property Damage
- b) Miguel and Carmen Ballesteros, Property Damage
- c) DeWaine Kuehl, Property Damage
- d) Jim and Nicole Warren, Property Damage

Moved by EBERLE and seconded by JORDAN that the claim(s) be acknowledged and referred to the office of the Treasurer as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requests the following applications for Alcohol Beverage Catering Permits be acknowledged and approved:

- a) Kanak Attack Catering regarding Kristin Ediger Wedding at the Idaho Botanical Gardens on October 11, 2008

Moved by EBERLE and seconded by JORDAN that the Alcohol Beverage Catering Permits be acknowledged and approved as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

The City Clerk requested the following minutes, reports and requests be received by Council and directed filed in the office of the City Clerk:

- a) Foothills Conservation Advisory Committee Minutes, August 6, 2008

- b) Boise City Employee Advisory Committee Minutes, August 22, 2008
- c) Boise City Employee Health Plan Trust Trustee Minutes, August 27 and September 11, 2008
- d) Boise City Building Construction Report, September 2008

Moved by EBERLE and seconded by JORDAN that the minutes, reports and requests be received and directed filed in the office of the City Clerk as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-379-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING THE BOISE CITY INTERNAL AUDIT POLICY MANUAL; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID APPROVAL ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-379-08) be adopted and that same be numbered Resolution 20290.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-380-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A RIGHT-OF-WAY CONTRACT BY AND BETWEEN THE CITY OF BOISE CITY (PUBLIC WORKS DEPARTMENT) AND MICHAEL MATZEK FOR THE ACQUISITION OF A SANITARY SEWER EASEMENT FOR THE CONSTRUCTION OF SUSAN STREET SEWER SERVICE, CSP956; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID RIGHT-OF-WAY CONTRACT ON BEHALF OF BOISE CITY; ACCEPTING THE GRANT OF A SANITARY SEWER EASEMENT FROM MICHAEL MATZEK; AUTHORIZING PAYMENT FOR THE ACQUISITION OF THE SANITARY SEWER EASEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

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Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-380-08) be adopted and that same be numbered Resolution 20291.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-381-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING CHANGES IN THE BOISE CITY CASH MANAGEMENT AND INVESTMENT POLICIES AS PROVIDED IN ATTACHMENT "A"; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID POLICIES ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-381-08) be adopted and that same be numbered Resolution 20292.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-383-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING AN EASEMENT AND RIGHT OF WAY AGREEMENT BETWEEN BOISE CITY (DEPARTMENT OF AVIATION) AND UNITED WATER IDAHO INC. FOR THE ECONOMY LOT EXPANSION PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID EASEMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-383-08) be adopted and that same be numbered Resolution 20293.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-384-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A FIRST ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE CITY OF BOISE CITY, THROUGH ITS DEPARTMENT OF PARKS AND RECREATION, AND THE INDEPENDENT SCHOOL DISTRICT OF BOISE CITY, EXTENDING THE ORIGINAL LEASE OF PORTABLE CLASSROOM SPACE ADJACENT TO FORT BOISE COMMUNITY PARK FOR AN ADDITIONAL TEN (10) YEARS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT ON BEHALF OF BOISE CITY; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-384-08) be adopted and that same be numbered Resolution 20294.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-385-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE RECYCLING OF CERTAIN CITY RECORDS PURSUANT TO THE BOISE CITY RECORDS RETENTION AND DISPOSITION SCHEDULE; AUTHORIZING THE CITY CLERK TO DIRECT AND SUPERVISE THE RECYCLING OF THE RECORDS; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-385-08) be adopted and that same be numbered Resolution 20295.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-386-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, RENEWAL OF AGREEMENT FOR F/B 07-254; COMPREHENSIVE MEDICAL EXAMINATION, TESTING AND EVALUATION SERVICES, BOISE FIRE DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND DOCTORS FOR IDAHO FIRE

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SERVICES LLC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-386-08) be adopted and that same be numbered Resolution 20296.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-387-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, RENEWAL TWO OF SOLE SOURCE AGREEMENT FOR F/B 06-140; SECURITY SOFTWARE AGREEMENT, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND APEX INTEGRATED SECURITY SOLUTIONS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-387-08) be adopted and that same be numbered Resolution 20297.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-388-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, CHANGE ORDER NUMBER 2 TO F/B 08-094; BOISE DEPOT BELL TOWER STUCCO REPAIRS, PARKS AND RECREATION DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND COMMERCIAL REMODELING, LLC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-388-08) be adopted and that same be numbered Resolution 20298.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed resolution (R-389-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY OF BOISE CITY, RENEWAL TWO OF SOLE SOURCE AGREEMENT FOR F/B 06-139; SECURITY SYSTEM INSTALLATION AND MAINTENANCE, PUBLIC WORKS DEPARTMENT, BETWEEN THE CITY OF BOISE CITY AND APEX INTEGRATED SECURITY SOLUTIONS, INC.; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by EBERLE and seconded by JORDAN that the proposed resolution (R-389-08) be adopted and that same be numbered Resolution 20299.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Therrin Subdivision, SUB06-00020, Time Extension for Certification Signature of Boise City Engineer, Boise City (one-year time extension for the Final Plat of a commercial subdivision with three buildable lots and one common lot on 1.23 acres located on the south side of West Bethel Street between North Orchard Street and North Phillippi Street) was before Mayor and Council.

Moved by EBERLE and seconded by JORDAN that Therrin Subdivision, SUB06-00020, Time Extension for Certification Signature of Boise City Engineer, be granted as requested subject to conditions stated in the staff report.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Pardo Court Subdivision, SUB06-00056, Time Extension for Certification Signature of Boise City Engineer, Boise City (one-year time extension for the Final Plat of a two lot office subdivision on .30 acre located on the north side of West Cassia Street approximately 133 feet west of South Orchard Street) was before Mayor and Council.

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Moved by EBERLE and seconded by JORDAN that Pardo Court Subdivision, SUB06-00056, Time Extension for Certification Signature of Boise City Engineer, be granted as requested subject to conditions stated in the staff report.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Councilmember EBERLE requested unanimous consent that all ordinances on first reading be read by number and title only and filed for the Second Reading Calendar.

Unanimous consent was granted.

Proposed ordinance (O-53-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING BOISE CITY CODE TITLE 10, CHAPTER 17, SECTION 02, TO INCLUDE DEFINITIONS OF ELECTRIC VEHICLE AND ZERO EMISSION VEHICLE AND REORDERING THE DEFINITIONS IN ALPHABETICAL ORDER; AMENDING BOISE CITY CODE TITLE 10, CHAPTER 17, SECTION 05(A) TO PROVIDE THAT GREEN VEHICLE PERMIT HOLDERS SHALL NOT BE REQUIRED TO RENDER PAYMENT AT PARKING METERS, BUT MUST COMPLY WITH ALL OTHER CONDITIONS OF PARKING AT A METER; AMENDING BOISE CITY CODE TITLE 10 CHAPTER 17, SECTION 8(B)(1) TO PROVIDE A PENALTY OF TWENTY DOLLARS (\$20) FOR EXTENDED PARKING USING A GREEN VEHICLE PERMIT AND A PENALTY OF FIFTY DOLLARS (\$50) FOR THE UNLAWFUL USE OF A GREEN VEHICLE PERMIT; ENACTING BOISE CITY CODE TITLE 10 CHAPTER 17 SECTIONS 10(F) AND (G) PROHIBITING EXTENDED PARKING USING A GREEN VEHICLE PERMIT AND THE USE OF A GREEN VEHICLE PERMIT ON A VEHICLE NOT COVERED BY THE PERMIT; ENACTING BOISE CITY CODE TITLE 10 CHAPTER 17 SECTION 13 TO PROVIDE THE PROCESS FOR PERMITTING ELECTRIC VEHICLES AND ZERO EMISSION VEHICLES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-54-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 10 CHAPTER 11 SECTION 19, BOISE CITY CODE TO: PROVIDE FOR A SEPARATE RENTAL FEE

AND PERMITTING PROCESS FOR NON-METERED PARKING SPACES; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Proposed ordinance (O-55-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR08-00011/CLIFFORD E. GUTHRIE AND DENICE E. JONES FOR PROPERTY LOCATED AT 9009 W. CORY LANE) AMENDING ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1B (SINGLE FAMILY RESIDENTIAL - 4.8 DU/ACRE) TO R-1C (SINGLE FAMILY RESIDENTIAL - 8.0 DU/ACRE); SETTING FORTH A REASONED STATEMENT IN SUPPORT OF SUCH ZONE CHANGE; AND PROVIDING AN EFFECTIVE DATE, was read for the first time.

Moved by EBERLE and seconded by JORDAN that further reading of (O-45-08) be dispensed with and the record show that it has been read the third time in full.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

Proposed ordinance (O-45-08) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE REPEALING AND REENACTING TITLE 4, CHAPTER 11, DANGEROUS BUILDINGS OF THE BOISE CITY CODE; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by EBERLE and seconded by JORDAN that the proposed ordinance (O-45-08) be passed and that the same be numbered Ordinance 6687.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Motion carried.

There being no further business the meeting adjourned at 6:06 o'clock P.M.

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APPROVE:

MAYOR

ATTEST:

CITY CLERK